

Town of Rowe – FY2012
Board of Selectmen - Minutes
Wednesday, April 25, 2012 – 6:00pm
Rowe Town Hall

Call to Order: The meeting was called to order by Chairman Abbott at 6:05pm.

Present: Chairman Noel Abbott and Selectmen Paul McLatchy III and Bob Clancy
Audience of Citizens: Approximately 50 citizens present.

Also Present: School Committee members Bill Loomis, Lisa Danek-Burke, Lisa Miller, School Supt. Michael Buonoconti, School Business Manager Joanne Blier and Rowe School Principal Bill Knittle

School Window/Door Project: The School Committee and Board of Selectmen met jointly to discuss the school window/door replacement project—specifically to discuss whether to proceed with an application to the MSBA (MA School Building Authority) for their *Accelerated Repair Program* for this project. If the application is approved it would provide 36-37% state funding. The MSBA program mandates that a third party Owner's Project Manager (OPM) and Designer both selected by MSBA be used for the feasibility and schematic design phases of the project. It is unknown what this cost will be. Because of the small size of the project, it was presumed that these costs could be as little as \$15K for the initial design phase. There is also the option to do the project locally (without MSBA assistance) at perhaps a lower cost. However, after lengthy discussion it was agreed that there was no upfront risk in applying for the MSBA assistance. If the costs offered by MSBA for the feasibility and schematic design phase are not acceptable, the town can reject entering into the program with MSBA.

The Selectboard then voted unanimously (3/0) to have the sum of \$50,000 appropriated from the Capital Stabilization Fund at a Special Town Meeting to be expended for *The Feasibility Study and the Schematic Design for the Rowe Elementary School Window and Door Replacement at 86 Pond Road, Rowe MA*, for which feasibility study and schematic design the Town may be eligible for a grant from the Massachusetts School Building Authority. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study and schematic design in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. [The School Committee also took the same vote, which passed unanimously (3/0).]

Selectboard Chairman Noel Abbott stated that he would like to read the full documents before signing them. According to Mohawk Business Manager, Joanne Blier, they require his signature, as well as the School Committee chair's signature and the School Superintendent's signature. He will move quickly on this as the application is due May 11, 2012. The School Committee, Messrs. Buonoconti and Knittle, and Ms. Blier left the meeting.

Citizens' Request: An additional citizens' request signed by an additional 27 or 28 townspeople, for a total of 76 signatures, was presented to the board asking that the recommendations in the Sarnelli report be implemented. Resident Kris Swenson asked if an internal control review needs to be done before a forensic financial audit can be performed. Chair Abbott stated no. And in the specific case at hand, had Ms. Sarnelli found any items that would warrant a forensic financial audit, she would be legally bound to proceed with this.

Town Meeting Vote re Accounting/Payroll Software: The article on last night's town meeting warrant requesting an appropriation \$37K accounting and payroll software was amended from the floor (which passed) specifically stating that the \$37K appropriation be used as follows:

- Contracting with the FRCOG Accounting Program to perform the town's accounting functions for FY2013
- Purchasing the Blackbaud Fundware accounting software to replace the *City & Town* software that is being discontinued as of June 30, 2012. New software to be installed to begin in July 1, 2012.
- Contracting with one of the following firms to perform all payroll services for the Town of Rowe in FY2013: Checkwriters, Paychex, ADP or Harpers Payroll Service

At the meeting Town Coordinator Ellen Miller stated that town counsel should be contacted to see if the amendment was appropriate, as there are some day-to-day matters that are not under the purview of town meeting. Chair Abbott emailed Town Counsel Joel Bard asking: **"Does the Town have the authority to specify which accounting and payroll software it is willing to fund for?"** Town Counsel's initial response was that Town Meeting cannot specify, stating that Town Meeting may appropriate funds for accounting software, but that which system or software to use is an executive decision. His initial response was that Ellen was correct. Two hours later after re-examining the question he corrected his initial guidance to state that Town Meeting can make an appropriation authorizing a contract or purchase and limit the nature of the purchase. However inadvisable, Town Meeting could limit the town to buying, for example, a Ford XYZ truck for DPW, etc. if the low bid turns out to be a Chevy, then the money cannot be spent. The three authorizations are for specific purchases. The BOS can choose not to spend the funds but can't choose to spend them to pay for an employee to perform those services. Of course, if funds are available to pay for in-house accounting, the BOS could continue that way. [If the BOS chose to not follow Town Meeting vote.]

Ms. Miller took exception to the email Chair Abbott had sent to Attorney Bard as his reference to her town meeting statement was not what she had said on the town meeting floor. She never stated that the Selectmen had the sole authority in the matter. She suggested that town counsel be contacted as the matter might possibly not be under the purview of town meeting. She requested a copy of Chair Abbott's voice recording of the town meeting, which he supplied to her. He stated that he would personally review the recording and that if her statement was different than what he stated in his email that he would apologize.

Accounting Services: Chair Abbott made a motion to contract with FRCOG for their accounting services and to utilize FRCOG's accounting package - *Blackbaud Fundware* software. The motion failed for lack of a second.

Selectman Clancy then stated that he was surprised at last night's town meeting as he thought an appropriation was being sought so that the Selectmen could then look at the choices (for accounting and payroll) and decide which was the best way to go. Selectman McLatchy stated he was disappointed with the town meeting; and suggested that what bothered him the most was that Chair Abbott actively circumvented the role of the Board of Selectmen. He stated that he was annoyed at the events. He then made a motion to reorganize the board. Selectman Clancy did not second the motion, but said it should be revisited later in the meeting. Selectman McLatchy then stated "I withdraw my motion for now." He later apologized for the motion to reorganize.

Selectmen McLatchy then stated that he was not against FRCOG—that they might be a viable option. But it is only one of our options. It was our agreement at last week's meeting that we would look at all of our options. Selectman Clancy agreed that the board never sat down and looked at the town's options. Chair Abbott responded that he had initially suggested in February that the entire Board of Selectmen be involved in the interview and selection process from the beginning. Neither Selectman McLatchy nor Selectman Clancy was able to make the time to get involved. Selectman McLatchy had stated that he was strongly concerned about getting the FY 2013 Town Budget completed in time for Annual Town Meeting and as a full-time student. Selectman Clancy was not available during the day for vendor meetings as he was in his first year as a new principal in Bernardston. Chair Abbott also pointed out that it was the Finance Committee that presented and voted upon the revised motion, not he. A lengthy discussion ensued, with most of the audience participating, stating their desire to have all of the recommendations of the Internal Control Reviews of 2007 by the Mass Department of Revenue and Josephine Sarnelli of 2012 implemented.

A second motion was then made that the Selectboard contract with FRCOG accounting services for FY2013 with the provision that the board research other solutions in the ensuing year. Chair Abbott agreed to fully support that research with the condition that he not prime move the review process. This time the motion was seconded and the BOS vote unanimously to contract with FRCOG for accounting services. A second motion was made that the Town of Rowe agree to use *FundWare* accounting software for FY2013. The motion was seconded and the vote unanimous.

Payroll Services: Payroll services have been reviewed by a team consisting of Finance Committee Chair Marilyn Wilson, Selectboard Chair Noel Abbott and Town Coordinator Ellen Miller. Meetings were held with various vendors. On their recommendation the Selectboard voted unanimously to select one of the following external payroll providers for FY2013: CheckWriters, ADP, Paychex or Harpers.

Update for Newspaper: Chair Abbott stated that he will meet with Ellen Miller and the Selectmen to work on a communication to the paper about the above matter.

Cash Reconciliations: Chair Abbott stated that last night he received from Treasurer Heidi Cousineau reconciliations through June 2011. Ellen Miller stated that the one form needed to get Free Cash certified is the state form entitled *Treasurer's Quarterly Cash Report*. The report for the period ending 6-30-2011 was never submitted to her by the Treasurer. She asked that someone have Heidi come see her to get this report completed.

ATM Warrant: The warrant for the annual town meeting was reviewed. As the budget is out of balance, the Selectboard voted unanimously (3/0) to use \$120,000 from Free Cash (contingent on it being certified) to balance the budget. Ms. Miller will add this item to the warrant. The Selectmen then voted unanimously (3/0) to approve the ATM warrant. Ms. Miller will have it ready for signing at their next meeting on April 30th at 4:30pm. April 30th is the deadline for posting the warrant. Ms. Miller will contact Constable Dykeman to have him post the warrant that day.

Adjournment: The Selectboard voted unanimously (3/0) to adjourn the meeting at 9:27pm.

Respectfully submitted,

Ellen B. Miller
Town Coordinator

7/25/12

Date Approved

Approved:

Noel Abbott

Noel R. Abbott, Chairman

Paul McLatchy III

Paul McLatchy III

Robert J. Clancy

Attachments:

- Agenda
- MSBA *Accelerated Repair Program* application packet
- Citizens' Request
- Chair Abbott/Town Counsel emails re town meeting action